

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chairman Roy Brown, on February 16, 2009 at 3:00 P.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Roy Brown, Chairman (R)
Sen. Terry Murphy, Vice Chairman (R)
Sen. Greg Hinkle (R)
Sen. Dave Lewis (R)
Sen. Trudi Schmidt (D)

Members Excused:

Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)

Members Absent: None

Staff Present: Joan Linkenbach, Committee Secretary
Lisa Mecklenberg Jackson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 412, 2/10/2009; SB 414,
2/10/2009; SB 432, 2/11/2009

Executive Action: SB 357; SB 399; SB 401

00:00:12 Without objection Chairman Brown reversed the vote taken on February 13, 2009 on **SB 357** and tabled the bill.

HEARING ON SB 412

Opening Statement by Sponsor:

00:02:32 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 412, Remove waiting period for CHIP.

Proponents' Testimony:

00:06:57 Don Judge, Working for Equality and Economic Liberation, (WEEL)

EXHIBIT (phs36a01)

00:08:19 Sen. Larsen now present

00:09:21 Sen. Juneau now present

00:10:47 Beth Sirr, Family Nurse Practitioner (FNP)

00:12:22 Jamee Greer, Human Rights Network

00:13:38 Andy Heiman, American Association of Retired People of Montana (AARP)

EXHIBIT (phs36a02)

00:14:15 Anita Roessmann, Disability Rights of Montana (DRM)

00:14:47 Terry Kendrick, Montana Women Vote

00:15:29 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

00:16:31 Kristina Davis, Childrens Defense Fund (CDF)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:19 Chairman Brown

00:18:33 Sen. Kaufmann

00:18:50 Chairman Brown

Closing by Sponsor:

00:18:58 Sen. Kaufmann

HEARING ON SB 414

Opening Statement by Sponsor:

00:21:02 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 414, Constitutionally declare health care to be a human right.

Proponents' Testimony:

00:27:49 Kim Abbott, Montana Human Rights Network

00:31:07 Don Judge, WEEL

EXHIBIT (phs36a03)

00:34:15 Anita Roessmann, DRM

00:39:04 Kelsen Young, MCADSV

00:41:40 Jamee Greer, Coalition Montanans for Health Care

00:43:13 Ted Dick, Service Employee's International Union, Local
SCIU Health Care 775 Northwest

00:45:30 Lindsay Love, Planned Parenthood of Montana

00:46:37 Kristina Davis, CDF

00:49:01 Beth Sirr, FNP

Opponents' Testimony:

00:56:08 Gail Hinkle, Registered Nurse (RN)

Informational Testimony: None

Questions from Committee Members and Responses:

00:59:53 Sen. Hinkle, RN

00:59:58 Sen. Juneau left the room.

01:00:42 Ms. Hinkle, RN

01:01:12 Sen. Hinkle, RN

01:02:13 Sen. Kaufmann

01:02:29 Sen. Hinkle, RN

01:03:06 Sen. Kaufmann

01:04:38 Sen. Hinkle, RN

01:04:51 Sen. Kaufmann

01:04:56 Sen. Hinkle, RN

01:05:04 Sen. Kaufmann

01:06:21 Chairman Brown

01:06:57 Sen. Kaufmann

Closing by Sponsor:

01:08:11 Sen. Kaufmann
01:09:23 Chairman Brown
01:09:36 Vice Chairman Murphy took the chair.

HEARING ON SB 432

Opening Statement by Sponsor:

01:09:53 Sen. Roy Brown (R), SD 25, opened the hearing on SB
432, Revise ostensible agency law.

Proponents' Testimony:

01:13:27 Mark Taylor, Montana Hospital Association (MHA);
Yellowstone Insurance Exchange (YIE)

EXHIBIT (phs36a04)

01:19:34 Al Smith, Montana Trial Lawyers Association (MTLA)

EXHIBIT (phs36a05)

01:22:56 Elizabeth Lewis, Senior Vice President of Operations in
Legal, Bozeman Deaconess Hospital

01:24:18 Mike Foster, Wheaton Memorial Hospital, Sisters of
Charity Hospitals in Montana

Opponents' Testimony:

01:25:55 Mary McCue, Montana Medical Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:28:04 Recess

01:28:30 Reconvened

01:28:36 Sen. Schmidt

01:29:04 Mr. Taylor, MHA, YIE

01:30:01 Sen. Schmidt

01:30:09 Mr. Taylor, MHA, YIE

01:30:53 Sen. Schmidt

01:31:14 Mr. Taylor, MHA, YIE

01:31:50 Sen. Schmidt

01:32:14 Mr. Taylor, MHA, YIE

01:32:27 Sen. Juneau now present

Closing by Sponsor:

01:33:32 Sen. Brown
01:34:51 Chairman Brown resumed the chair.

EXECUTIVE ACTION ON SB 399

01:35:31 **Motion:** Sen. Schmidt moved that **SB 399 DO PASS.**
01:35:52 **Motion:** Sen. Schmidt moved that **SB 399 BE AMENDED.**
EXHIBIT (phs36a06)

01:36:45 Lisa Mecklenberg Jackson, Legislative Services Division
(LSD)
01:37:08 Sen. Schmidt
01:37:14 Lisa Mecklenberg Jackson, LSD
01:38:52 Chairman Brown
01:38:57 Lisa Mecklenberg Jackson, LSD
01:39:09 Sen. Schmidt
01:39:14 Lisa Mecklenberg Jackson, LSD
01:40:01 Sen. Schmidt
01:40:09 Lisa Mecklenberg Jackson, LSD
01:40:17 Sen. Schmidt
01:40:21 Lisa Mecklenberg Jackson, LSD
01:40:36 Chairman Brown
01:40:57 Lisa Mecklenberg Jackson, LSD
01:41:10 Chairman Brown
01:41:16 Sen. Lewis

01:41:44 **Vote:** Motion carried unanimously by voice vote.

01:42:09 **Motion:** Sen. Schmidt moved that **SB 399 DO PASS AS
AMENDED.**

Discussion:

01:42:15 Chairman Brown
01:42:44 Sen. Hinkle
01:43:11 Chairman Brown
01:43:27 Sen. Juneau
01:44:02 Chairman Brown

01:44:40 **Vote:** Motion carried 5-2 by voice vote with Sen.
Hinkle and Sen. Lewis voting no.

01:44:56 Chairman Brown

EXECUTIVE ACTION ON SB 401

01:46:13 **Motion:** Sen. Murphy moved that **SB 401 DO PASS.**

01:46:24 Sen. Lewis left the room.

Discussion:

01:46:53 Chairman Brown

01:46:58 Sen. Larsen

01:48:31 **Vote:** Motion carried unanimously by voice vote. Sen
Lewis voted aye by proxy.

01:48:46 Chairman Brown

01:48:50 Sen. Schmidt

01:48:55 Chairman Brown

01:49:37 Sen. Schmidt

01:49:43 Chairman Brown

01:50:29 Sen. Murphy

01:50:41 Chairman Brown

01:51:17 Sen. Schmidt

01:51:24 Chairman Brown

ADJOURNMENT

Adjournment: 5:15 P.M.

Joan Linkenbach, Secretary

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Additional Exhibit:
EXHIBIT ([phs36a07](#))

Additional Documents:

EXHIBIT ([phs36aad.pdf](#))